

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

PATENT

Applicant(s): Hiroto Handa et al. Docket No.: 42598-4400

Serial No.: Group Art Unit:

Filed: Examiner:

TITLE: **DISK SELECTING DEVICE AND DISK DEVICE**

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

An original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **DISK SELECTING DEVICE AND DISK DEVICE**, the specification of which:

[] is attached hereto.

[X] was filed on March 31, 2005 as International Application Serial No. PCT/JP2005/6379.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. §1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

| | | | Priority Not Claimed |
|--------------------|--------------|-----------------------|----------------------|
| <u>2004-108193</u> | <u>Japan</u> | <u>March 31, 2004</u> | [] |
| Number | Country | Filing Date | |
| <u>2004-108216</u> | <u>Japan</u> | <u>March 31, 2004</u> | [] |
| Number | Country | Filing Date | |
| <u>2004-108226</u> | <u>Japan</u> | <u>March 31, 2004</u> | [] |
| Number | Country | Filing Date | |
| | | | [] |
| Number | Country | Filing Date | |

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

| | |
|--------------------|-------------|
| Application Number | Filing Date |
| Application Number | Filing Date |

We hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| | | |
|------------------------|-------------|-------------------------------------|
| Application Serial No. | Filing Date | Status — Patent, Pending, Abandoned |
| Application Serial No. | Filing date | Status — Patent, Pending, Abandoned |

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

As a below named inventors, we hereby appoint the following attorneys to prosecute the above-captioned United States patent application and to transact all business in the United States Patent and Trademark Office connected therewith and with the resulting patent, individually and collectively:

Joseph W. Price
SNELL & WILMER L.L.P.
 600 Anton Boulevard, Suite 1400
 Costa Mesa, California 92626
 Tel.(714) 427-7420
 Fax(714) 427-7799

and the registered attorneys associated with Snell & Wilmer's **Customer Number 21611**.

Please send all further correspondence to Snell & Wilmer L.L.P. at the above address.

Full name of first inventor: Hiroto Handa

Inventor's signature: _____ Date: _____

Residence: 35-2, Hakusan 5-chome, Bunkyo-ku, Tokyo 112-8608 JAPAN
City State/Country

Citizenship: Japan

Post Office Address: same as above

_____ Zip Code: _____

Full name of second inventor: Akira Takahashi

Inventor's signature: _____ Date: _____

Residence: 1-76, Kawanayama-cho, Showa-ku, Nagoya-shi, Aichi 466-0827 JAPAN
City State/Country

Citizenship: Japan

Post Office Address: same as above

_____ Zip Code: _____